



## **COUNCIL MEETING MINUTES**

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**Tuesday, August 24<sup>th</sup>, 2021**  
**5:30 p.m.**  
**GotoMeeting**

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### **ATTENDANCE:**

**Members Present:** Chair, Reeve Brian Campbell  
Deputy Reeve Barrie Crampton  
Councillor Fred Dobbie  
Councillor Rob Rainer  
Councillor Beverley Phillips (arrived at 5:46 p.m.)  
Councillor Mick Wicklum  
Councillor RoxAnne Darling (left at 6:06 p.m. and returned at 6:34 p.m.)  
Councillor Gene Richardson

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Richard Bennett, Acting Treasurer  
Noelle Reeve, Planner  
Sean Ervin, Public Works Manager (left at 6:18 p.m.)

**Regrets:** None

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### **1. CALL TO ORDER**

The meeting was called to order at 5:30 p.m.  
The Reeve conducted Roll Call.  
A quorum was present.

The Reeve overviewed the Video Conference Participation Etiquette that was outlined in the Agenda.

### **2. AMENDMENTS/APPROVAL OF AGENDA**

The Agenda was adopted as presented.

**3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**

Councillor Darling declared a conflict of interest on item 8iii) because she was the acting agent on the application.

**4. APPROVAL OF MINUTES**

**i) Council Meeting – June 22<sup>nd</sup>, 2021.**

**RESOLUTION #C-2021-08-17**

**MOVED BY:** RoxAnne Darling

**SECONDED BY:** Mick Wicklum

**“THAT**, the minutes of the Council Meeting held on June 22<sup>nd</sup>, 2021, be approved as circulated.”

**ADOPTED**

**ii) “Special” Council Meeting – July 20<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-18**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Fred Dobbie

**“THAT**, the minutes of the “Special” Council Meeting held on July 20<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

**iii) Committee of the Whole Meeting – August 10<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-19**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

**“THAT**, the minutes of the Committee of the Whole Meeting held on August 10<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

**iv) “Special” Council Meeting – August 18<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-20**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Gene Richardson

**“THAT**, the minutes of the “Special” Council Meeting held on August 18<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

## **5. DELEGATIONS & PRESENTATIONS**

### **i) Presentation - Heritage Property Recognition Program.**

D. Taylor gave the PowerPoint Presentation that was attached to the agenda.

## **6. CORRESPONDENCE**

None.

## **7. MOTIONS**

Councilor Phillips arrived at 5:46 p.m.

### **i) 2021 History Scholarship Selection Committee Report.**

#### **RESOLUTION #C-2021-08-21**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

**“THAT**, the 2021 History Scholarship Selection Committee Report be received for information.”

**ADOPTED**

### **ii) Report #PD-2021-28 - Severance Application – 12368838 Canada Inc.**

#### **RESOLUTION #C-2021-08-22**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for 12368838 Canada Inc. B21/045/046 (Con 6, Part Lots 11 and 12, geographic Township of North Burgess) to create two new lots, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township for legal searches, etc. prior to final approval.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severances, both hard copy and electronically.

That, payment for the lots shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.

That, the applicant obtains entrance permits and Civic Address Numbers along Long Lake Road for the severed lots.

That, the lot proposed in B21/045 shall be the subject of a Development Agreement to specify a development envelope outside of the Provincially Significant Wetland buffer.

That, the lot proposed in B21/46 shall be the subject of a Development Agreement to specify a development envelope outside the unevaluated wetland buffer.

That the shallow abandoned mine hazards be identified on the severed lot(s) as part of the Development Agreement(s).

That the applicant undertakes to fence, or fill in, or otherwise make safe, the hazardous abandoned mine site on the retained parcel identified by the Ministry of Energy Mines and Northern Development.

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed and the lot to be retained in order to meet the Township's road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

iii) **Report #PD-2021-29 - Severance Application – Bout and Johnson.**

**RESOLUTION #C-2021-08-23**

**MOVED BY:** Rob Rainer

**SECONDED BY:** RoxAnne Darling

**"THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Dave Bout and Jan Johnson B21/044 (Concession 6 and 7, Part Lots 18 and 19, geographic Township of South Sherbrooke) 2374 Old Brooke Road to create one new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.

That, payment for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That, the applicant obtain an entrance permit and Civic Address Number along Old Brooke Road for the severed lot.

That, sufficient lands shall be dedicated to the Township along the frontage of the lot to be severed and the lot to be retained in order to meet the Township's road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

iv) **Report #PD-2021-30 - Severance Application – Brown.**

**RESOLUTION #C-2021-08-24**

**MOVED BY:** RoxAnne Darling

**SECONDED BY:** Mick Wicklum

**"THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for B21/068 (Concession 5, Part Lot 17, geographic Township of Bathurst) 1300 Bathurst 5<sup>th</sup> Concession to create one new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pays any outstanding fees to the Township prior to final approval.

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically.

That, payment for the lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That, the applicant obtain an entrance permit and Civic Address Number along the Bathurst 5<sup>th</sup> Concession for the severed lot.

That, sufficient lands shall be dedicated to the Township along the frontage of the lot to be severed and the lot to be retained in order to meet the Township's road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3-metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

v) **Report #PD-2021-31 – Maberly Pines Holding Zone Options.**

Deputy Reeve Crampton had emailed an amendment to the suggested motion.

The Acting CAO/Clerk explained that since there is currently no motion on the floor, if Council wishes to move the suggested motion from Deputy Reeve Crampton then that would be the original motion.

Councillor Darling indicated that she was happy with the suggested motion as it is on the agenda.

Councillor Rainer asked about the amount of work that the amended motion involves for staff and asked if Deputy Reeve Crampton could explain the rational behind the amendment and if staff could advise if they are able to accommodate the additional work being asked of them.

Deputy Reeve Crampton explained that he supports the original motion but the subdivision and its future does not solely rely on the water issues, there are other issues that need to be addressed, the information that will be collected should be presented to Council and in a report from staff as to how many of the lots are viable, each lot would need an approved entrance and electricity brought in to each lot.

The Acting CAO/Clerk explained that other than the hydro information, the other items in the resolution were going to be gathered and presented in the final report already. At the Committee of the Whole meeting on September 7<sup>th</sup> the consultant for the Development Charges Review is presenting an update and amendment to the Development Charges By-Law that ties into the roads within the subdivision. The amendment to the motion was discussed with staff and does not require additional work as it was already going to be done.

Councillor Darling left at 6:05 p.m.

**RESOLUTION #C-2021-08-25**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Fred Dobbie

**“THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- obtain groundwater samples from the existing wells for laboratory analysis; and

- research well records in the area for flow data;

to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA's) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council's consideration;

**AND THAT**, the Treasurer conduct a return-on-investment assessment for the subdivision.”

**(SEE RESOLUTION #C-2021-08-26)**

**RESOLUTION #C-2021-08-26**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Rob Rainer

**“THAT**, Resolution #C-2021-08-25 be deleted in its entirety and replaced with:

**“THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- Provide a high-level review of the hydrological features of the area contained within the Maberly Pines Subdivision
- obtain groundwater samples from the existing wells for laboratory analysis; and
- research well records in the area for flow data; to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA’s) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council’s consideration;

**THAT**, staff prepare a summary of the property ownership (ex. multiple lots owned by the same owner) of the existing lots in the Maberly Pines subdivision;

**THAT**, staff details the number of viable lots identified in the private servicing layout;

**THAT**, staff submits a report including cost estimates on the requirements to provide road access to service all the viable lots indicated by the private servicing layout;

**THAT**, staff determine Ontario Hydro criteria for providing electrical services to the undeveloped lots in a subdivision such as Maberly Pines;

**AND THAT**, staff conduct a return-on-investment assessment for the subdivision.”

**(SEE RECORDED VOTE)**

Councillor Wicklum called a recorded vote on Resolution #C-2021-08-26:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{5}$
		5
Against:	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{2}$
		2
Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
		1
Total:		8

**ADOPTED**

**RESOLUTION #C-2021-08-25**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Rob Rainer

**“THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- Provide a high-level review of the hydrological features of the area contained within the Maberly Pines Subdivision
- obtain groundwater samples from the existing wells for laboratory analysis; and
- research well records in the area for flow data; to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA's) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council's consideration;

**THAT**, staff prepare a summary of the property ownership (ex. multiple lots owned by the same owner) of the existing lots in the Maberly Pines subdivision;

**THAT**, staff details the number of viable lots identified in the private servicing layout;

**THAT**, staff submits a report including cost estimates on the requirements to provide road access to service all the viable lots indicated by the private servicing layout;



**THAT**, staff determine Ontario Hydro criteria for providing electrical services to the undeveloped lots in a subdivision such as Maberly Pines;

**AND THAT**, staff conduct a return-on-investment assessment for the subdivision.”

**(SEE RECORDED VOTE)**

Councillor Wicklum called a recorded vote on Resolution #C-2021-08-25:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{5}$

Against:	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{2}$

Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
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Total:		8
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**ADOPTED**

vi) **Report #C-2021-25 – Establish the Bolingbroke Cemetery Board.**

**RESOLUTION #C-2021-08-27**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

**“THAT**, the Bolingbroke Cemetery Board be established;

**THAT**, the necessary by-law be brought forward at the next Council meeting;

**AND THAT**, a call for Members go out once the by-law is adopted.”

**ADOPTED**

vii) **Report #C-2021-26 – Revised Noise By-Law.**

**RESOLUTION #C-2021-08-28**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Gene Richardson

**“THAT**, a Noise By-Law for the Township not be pursued at this time.”

**(SEE RECORDED VOTE)**

Councillor Phillips called a recorded vote on Resolution #C-2021-08-28:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Gene Richardson	$\frac{1}{4}$
		4

Against:	Councillor Beverley Philips	1
	Councillor Rob Rainer	1
	Councillor Mick Wicklum	$\frac{1}{3}$
		3

Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
		1

Total:		8
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**ADOPTED**

viii) **Report #C-2021-24 – Rename Rancier Road to Dixie Colton Lane.**

**RESOLUTION #C-2021-08-29**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

“**THAT**, the necessary by-law to name an existing Private Road from Rancier Road to Dixie Colton Lane as outlined in Report #C-2021-24 – Rename Rancier Road (Dixie Colton Lane) be brought forward for approval.”

**ADOPTED**

ix) **Report #FIN-2021-13 – Northland Solar Farm Reserve.**

**RESOLUTION #C-2021-08-30**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, the balances in the Northland Solar Farm Reserve be redistributed as recommended in Report #FIN-2021-13 – Northland Solar Farm Reserve Report.”

**ADOPTED**

- x) **Report #FIN-2021-14 – Budget Review and Forecast as at June 30, 2021.**

**RESOLUTION #C-2021-08-31**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Gene Richardson

**“THAT**, Report #FIN-2021-14 - Budget Review and Forecast as at June 30, 2021, be received for information.”

**ADOPTED**

- xi) **Report #PW-2021-19 – Building Condition Assessment – RFP Award.**

**RESOLUTION #C-2021-08-32**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Mick Wicklum

**“THAT**, the Building Condition Assessment Contract #2021-EC-001, including the additional scope be awarded to McIntosh Perry;

**AND THAT**, the Reeve and Clerk be authorized to sign the necessary documentation.”

**ADOPTED**

The Public Works Manger left at 6:18 p.m.

- xii) **Report #C-2021-27 – Council Composition Survey Results and Next Steps.**

The Reeve explained that there was a lengthy discussion at the Committee of the Whole meeting on this topic, the two options that were discussed are on the agenda and would like to open the floor for discussion on these options or any other options that anyone wishes to discuss.

Councillor Wicklum wanted to have a discussion then had a suggested motion to put on the table.

Councillor Rainer read the following statement:

It is a serious mistake to believe that a Council of as few as five members would translate into a more efficient municipality. Efficiency of governance has much less to do with the number of seats than it does the quality of Council leadership and the quality of Council deliberations. A 5-member Council can just as easily make ill-considered decisions, with serious cost implications for a municipality, as can an 8-member Council, or any number in between.

There has been a suggestion for a 5-member Council but a compelling rationale for this has not been provided, other than to say that other municipalities get along fine with that number. But is that really true? Do not other towns with smaller councils also have efficiency or other problems that actually have nothing to do with the number of members?

In my experience dating to 1988, the optimal number of members of a governing body is between seven and nine. I could support a reduction in this Council from eight to seven members, but only if that option would be polled with and clearly supported by our citizens. However, unless we are prepared to do the work to properly consult with the people we represent – which has not been done thus far – I will not support a change to the status quo.

I have seen in my near three years on this Council how each member has added something around the table that no one else contributed. That has shown the value of having sufficient diversity in the room. As the saying goes, two heads are better than one. And in this context, eight heads are better than five.

Councillor Phillips feels there are too many councillors, the residents can be represented by 5 members, issues can be dealt with by 5 members and feels the reluctance to reduce Council is about job security. A consultant is not required to determine the number of Councillors nor is using the guiding principles, there is no need to base the number of Councillors on anticipated growth of population, prefer to have a Council of 5 members, without using a consultant but would also agree with 7 members.

Councillor Dobbie feels the number of Councillors and the wards should be left alone, has spoken to the public about it and that is what they have told him, the public survey indicated to leave this as status quo.

The Reeve feels the survey was even and that Tay Valley is over governed.

Councillor Wicklum agrees that Tay Valley is over governed and should have a Council of 5. He did a comparison of Councillors per person in some townships and cities in the area and North Frontenac was the only one that had more, and they are now looking at reducing Council from 7 to 5. He would suggest a 7 member Council.

Councillor Rainier feels it is irresponsible to make this change without public consultation.

The Deputy Reeve feels this discussion should have been brought up earlier than now in the term, there has been no discussion about the need to reduce Council in the last three years and now it is an issue, there was a public survey that was inconclusive. There are lots of good ideas, but feels it is too important of an issue to be making a decision at this time.

The Reeve agreed with Councillor Wicklum's comparison, is not aware of any other Township having an even number of Councillors, would like to remove the possibility of a tie vote, prefers to reduce to 5 members but 7 members will also accomplish that.

Councillor Rainer explained that if one member is absent then there is a possibility of a tie vote, does not feel that should be the reason to make the decision.

**RESOLUTION #C-2021-08-33**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Beverley Phillips

**“THAT**, the current ward structure be maintained;

**AND THAT**, the composition of Council be reduced to seven people, comprised of two Councillors per ward and the Reeve elected at large.”

**(SEE RECORDED VOTE)**

Councillor Dobbie called a recorded vote on Resolution #C-2021-08-33:

For:	Reeve Brian Campbell	1
	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{3}$

Against:	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{4}$

Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
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Total:		8
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**DEFEATED**

- xiii) **Report #CBO-2021-05 – Building Department Report – January to July 2021.**

**RESOLUTION #C-2021-08-34**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Fred Dobbie

**“THAT**, Report #CBO-2021-05– Building Department Report – January to July 2021 be received as information.”

**ADOPTED**

Councillor Darling arrived at 6:34 p.m.

- xiv) **Removal of Heritage Property Selection Committee Member.**

**RESOLUTION #C-2021-08-35**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

**“THAT**, Eddie Edmundson be removed as a Member of the Heritage Property Selection Committee.”

**ADOPTED**

- xv) **Deputy Fire Chief Position.**

**RESOLUTION #C-2021-08-36**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Gene Richardson

**“THAT**, the Council of the Corporation of Tay Valley Township approves the creation of a new Deputy Fire Chief position in principle, subject to the approval of the Township of Drummond North Elmsley;

**THAT**, the 2021 expenses be paid for out of the Solar Farm Reserve and Covid funds;

**AND THAT**, the 2022 expenses be raised through taxation.”

**ADOPTED**

- xvi) **Appointment of Re-Use Center Volunteer.**

**RESOLUTION #C-2021-08-37**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

**“THAT**, the Council of the Corporation of Tay Valley Township appoint the following as a volunteer for the ReUse Centre, subject to the Criminal Records Check Policy:

- Evelyn Jean Powell.”

**ADOPTED**

- xvii) **21-06-10, 21-06-23, 21-07-14, 21-07-29 and 21-08-04 – Council Communication Packages.**

**RESOLUTION #C-2021-08-38**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

**“THAT**, the 21-06-10, 21-06-23, 21-07-14, 21-07-29 and 21-08-04 Council Communication Packages be received for information.”

**ADOPTED**

- xviii) **Lottery Licensing to Assist Small Organizations.**

**RESOLUTION #C-2021-08-39**

**MOVED BY:** Rob Rainer

**SECONDED BY:** RoxAnne Darling

**“THAT**, the Council of Tay Valley Township hereby requests Staff to contact the Ministry responsible for the Alcohol and Gaming of Ontario to seek their assistance in implementing an additional level of licensing which would permit small organizations to hold fundraisers as a method of sustaining our community and organizations;

**AND THAT**, all municipalities in Ontario are sent this resolution to seek their assistance in lobbying the Ministry.”

**ADOPTED**

- xix) **Funding for Maintenance and Preservation Repair of Abandoned Cemeteries.**

**RESOLUTION #C-2021-08-40**

**MOVED BY:** RoxAnne Darling

**SECONDED BY:** Mick Wicklum

**“WHEREAS**, municipalities in Ontario have been made responsible for abandoned cemeteries within their boundaries, and are required by the Funeral, Burial and Cremation Service Act, 2002 “to ensure that the cemetery grounds, including all lots, structures, and markers are maintained to ensure the safety of the public and to preserve the dignity of the cemetery”;

**AND WHEREAS**, cemeteries are not only symbols of respect, preserving the memory of families, prominent citizens, and local history; some cemeteries are landmarks in themselves and hold great historical value worldwide;

**AND WHEREAS**, preservation repairs to older cemeteries are very costly, requiring the specialized services of stonemasons and archeologists;

**AND WHEREAS**, the care and maintenance funds of abandoned cemeteries are generally non-existent or so small as to produce insufficient annual interest to cover even the cost of lawn care at the site;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township hereby urges the Government of Ontario to immediately provide funding sources for municipalities for the ongoing maintenance and preservation repair of abandoned cemeteries in their care;

**AND FURTHER THAT**, this resolution be forwarded to the Bereavement Authority of Ontario, the Minister of Government and Consumer Affairs, the Rural Ontario Municipal Association (ROMA) and Randy Hillier, MPP.”

**ADOPTED**

## **8. BY-LAWS**

- i) **By-Law No. 2021-037: Establish Bolingbroke Cemetery Board.**

**RESOLUTION #C-2021-08-41**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Fred Dobbie

“**THAT**, By-Law No. 2021-037, being a by-law to Establish the Bolingbroke Cemetery Board, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- ii) **By-Law No. 2021-038: By-Law No. 2021-038: Road Naming – Dixie Colton Lane.**

**RESOLUTION #C-2021-08-42**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

“**THAT**, By-Law No. 2021-038, being a by-law to amend By-Law No. 98-87 being a Road Naming By-Law (Dixie Colton Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**



- iii) **By-Law No. 2021-039: Zoning By-Law Amendment – Sinclair and Stewart – *deferred to a future meeting.***

Councillor R. Darling declared a conflict of interest as she was the agent on the application.

The Reeve explained that additional information needed to be clarified.

- iv) **By-Law No. 2021-040: Zoning By-Law Amendment – The Rideau Group Inc.**

Councillor Rainer read the following statement:

Section 1.2.3(c) says, in part, that the Official Plan has the goal, in part, “to protect existing development from adverse effects which may arise from incompatible development.” I believe that the matter before us represents such incompatibility. I will therefore vote against this application because I do not believe Council should make a rezoning decision that could or almost assuredly harm one or more adjoining property owners, if there would be alternatives to choose from. In this case, we have been informed that rezoning to industrial would result in a drop in the value of the Berry property. That should be an unacceptable consequence, and all the more so considering the Berry family are first-time homeowners, that they searched hard for a property they could afford, and that they represent the kind of young family TVT should be trying to attract – not repel. Putting ourselves in their shoes, who among us would find it acceptable for the Township to rezone land next to where we live, such that our own enjoyment of our property and also the monetary value of our property could be diminished.

That said, if Council approves the rezoning, it should be with the required condition that the applicant install the most effective visual and sound barrier, so that whatever impact is experienced by the Berry family would be substantially less than what it would be in the absence of sufficient controls. A privacy fence, in my view, would not be enough. There should also be some kind of robust sound barrier to help block the unwanted noise from an adjacent industrial site.

Councillor Phillips agrees that commercial and/or industrial businesses are good for Tay Valley and the area is a commercial/industrial area of the Township, the property was purchased last year, and the owners knew they were in a commercial/industrial area, the use of the lot behind them when they purchased was okay. Understands that the Site Plan Control Agreement will help mitigate the incompatibility of the residential and industrial uses, but who is going to enforce it, will be voting against it.

The Planner explained that the process for appealing a decision of Council is read at each public meeting, either party or any member of the public can appeal, but the appeal needs to indicate what Planning Act sections have been violated by the decision. If Council does not support the application, they need

to provide a reason, if it is appealed and goes to the Tribunal, the Township will need to hire another Planner to defend the decision of Council and they will want some rational as to why Council denied it. Incompatible development has a specific meaning under certain provincial guidelines that regulate odour, dust, noise, etc. That D-series of guidelines have thresholds and those thresholds come nowhere near being breached by the proposal to store supplies outside on that lot. Not sure what the case law in Canada would say about potentially devaluing a property. Feels the rezoning is supportable and the concern regarding protecting the residential property is done through the Site Plan Control Agreement, the Township has gone to court over Site Plan Control Agreements being violated and have won those decisions.

Councillor Dobbie explained that he does not like going against the Planner's recommendation, but industrial and residential uses are incompatible. The lot had been previously rezoned to allow a duplex, and now want it to become an industrial use, have spoken to a Real Estate Agent and they indicated that the industrial use would affect the value of the house for resale purposes.

The Acting CAO/Clerk reminded Council that there was another suggested motion regarding the conditions in the Site Plan Control Agreement, that can be brought up on the screen and discussed if Council wishes. The Site Plan Control Agreement would come back to Council for discussion on what conditions would be in the agreement.

The Reeve feels there should have been more discussion two weeks ago and has been lots of discussion since. The Planner has given the planning rationale for supporting it and to not approve it based on sympathetic grounds will not stand up in court.

The Deputy Reeve stated that the fact that the applicant is committing to mitigating measures should not go unnoticed, the property is on commercial stretch and has been for a long time, this is one of the only business areas in Tay Valley, while he has sympathy for the residential property owners, he needs to look at the practical side of things.

**RESOLUTION #C-2021-08-43**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

**"THAT,** By-Law No. 2021-040, being a by-law to Amend Zoning By-Law No. 2002-121 (Sproule Road, Part Lot 27, Concession 3, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk."

**(SEE RECORDED VOTE)**

The Reeve called a recorded vote on Resolution #C-2021-08-44:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor RoxAnne Darling	1
	Councillor Gene Richardson	<u>1</u>
		4

Against:	Councillor Fred Dobbie	1
	Councillor Beverley Philips	1
	Councillor Rob Rainer	1
	Councillor Mick Wicklum	<u>1</u>
		4

Absent:		0
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Total:		8
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**DEFEATED**

- v) **By-Law No. 2021-041: Zoning By-Law Amendment – Beange.**

**RESOLUTION #C-2021-08-44**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, By-Law No. 2021-041, being a by-law to Amend Zoning By-Law No. 2002-121 (954 Pike Lake Route 9, Part Lot 21, Concession 8, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- vi) **By-Law No. 2021-042: Zoning By-Law Amendment – Scheuneman.**

**RESOLUTION #C-2021-08-45**

**MOVED BY:** Rob Rainer

**SECONDED BY:** RoxAnne Darling

“**THAT**, By-Law No. 2021-042, being a by-law to Amend Zoning By-Law No. 2002-121 (1776 Old Brooke Road, Parts Lot 2 and 3, Concession 6, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- vii) **By-Law No. 2021-043: Zoning By-Law Amendment – Whyte.**

**RESOLUTION #C-2021-08-46**

**MOVED BY:** RoxAnne Darling  
**SECONDED BY:** Mick Wicklum

**“THAT**, By-Law No. 2021-043, being a by-law to Amend Zoning By-Law No. 2002-121 (4177 Bolingbroke Road, Part Lot 12, Concession 5, geographic Township of South Sherbrooke), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- viii) **By-Law No. 2021-044: Zoning By-Law Amendment – Ennis.**

**RESOLUTION #C-2021-08-47**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** Fred Dobbie

**“THAT**, By-Law No. 2021-044, being a by-law to Amend Zoning By-Law No. 2002-121 (2022 Beach Road, Part Lot 10, Concession 10, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**9. NEW/OTHER BUSINESS**

None.

**10. CALENDARING**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
Private Unassumed Road Working Group Meeting	August 25 <sup>th</sup>	5:30 p.m.	Virtual
“Special” Council Meeting	August 30 <sup>th</sup>	5:30 p.m.	Municipal Office
Public Meeting – Proposed Forest Trail	August 31 <sup>st</sup>	5:30 p.m.	Virtual
Committee of the Whole Meeting	September 7 <sup>th</sup>	5:30 p.m.	Municipal Office
Special Council Meeting	September 7 <sup>th</sup>	Following Committee of the Whole	Municipal Office
Public Meeting – Development Charges	September 14 <sup>th</sup>	5:30 p.m.	Virtual
Ontario Association of Police Services Board Zone 2 Meeting	September 17 <sup>th</sup>	9:00 a.m.	Picton
Library Board Meeting	September 20 <sup>th</sup>	5:30 p.m.	Virtual
Police Services Board Meeting	September 21 <sup>st</sup>	2:00 p.m.	Municipal Office

"Special" Council Meeting	September 21 <sup>st</sup>	5:30 p.m.	Virtual
Council Meeting	September 21 <sup>st</sup>	Following	Virtual

# **11. CLOSED SESSIONS**

None.

# **12. CONFIRMATION BY-LAW**

- i) **By-Law No. 2021-045 - Confirmation By-Law – July 20<sup>th</sup>, August 18<sup>th</sup> and 24<sup>th</sup>, 2021.**

## **RESOLUTION #C-2021-08-48**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

**"THAT**, By-Law No. 2021-045, being a by-law to confirm the proceedings of the Council meetings held on July 20<sup>th</sup>, August 18<sup>th</sup> and 24<sup>th</sup>, 2021, be read a first, second and third time short and passed and signed by the Reeve and Clerk."

**ADOPTED**

# **13. ADJOURNMENT**

Council adjourned at 7:09 p.m.

  
**Brian Campbell, Reeve**

  
**Janie Laidlaw, Deputy Clerk**